

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

The Honorable Craig D. Brown, Circuit Court Judge

Case No. 2013-CP-21-01408

RECEIVED

JUN 26 2017

SC Court of Appeals
Appellant,

Elizabeth J. Langley
v.
Wendy J. Lynch, Rebecca M. Lynch,
James M. Lynch, II, Donald Jordan, III,
Jimmy White and S. Porter Stewart, II, as
Personal Representative of the Estate of
James M. Lynch Defendants.

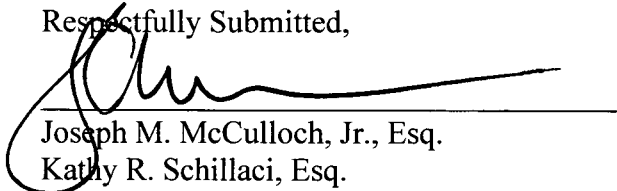
Of Whom Wendy J. Lynch is the Respondent.

**RESPONDENT'S RETURN TO MOTION TO RECALL REMITTITUR AND
MOTION TO BE RELIEVED AS COUNSEL**

The Respondent, by and through undersigned counsel, agrees with the actions of this Court in returning the Petition for Rehearing and issuing the remittitur to the lower court. It appears Appellant, with or without counsel, failed to timely file a motion for substitution of counsel pursuant to Rule 264, SCACR, and there is no indication her attorney was requested to timely file such a request. Moreover, there is no indication that Appellant sought an extension of time or other relief to be filed on her behalf. As such, the motion to recall remittitur should, respectfully, be denied. As

to Mr. Josey's request to be relieved as counsel, Respondent has no objection to the extent such request does not conflict with her opposition to the motion to recall remittitur.

Respectfully Submitted,



Joseph M. McCulloch, Jr., Esq.

Kathy R. Schillaci, Esq.

McCulloch & Schillaci, Attorneys at Law

1513 Hampton Street

P.O. Box 11623

Columbia, South Carolina 29201

Telephone: (803) 779-0005

Facsimile: (803) 779-0666

ATTORNEYS FOR RESPONDENT

This 21st day of June, 2017

Columbia, South Carolina

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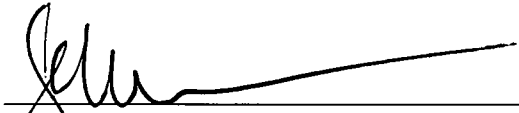
Wendy J. Lynch, Rebecca M. Lynch,
James M. Lynch, II, Donald Jordan, III,
Jimmy White and S. Porter Stewart, II, as
Personal Representative of the Estate of
James M. Lynch Defendants

Of Whom Wendy J. Lynch is the Respondent.

PROOF OF SERVICE

I certify that I have served the **RESPONDENT'S RETURN TO MOTION TO RECALL REMITTITUR AND MOTION TO BE RELIEVED AS COUNSEL** by depositing one copy of it in the United States Mail, first-class mail, postage prepaid, on June 2, 2017, addressed to J. Rene Josey, Esquire, Turner, Padgett, Graham & Laney, P.A., Post Office Box 5478, Florence, SC 29502 and James T. Irvin, Esquire, P.O. Box 2677, Myrtle Beach, SC, 29578.

June 21, 2017



Joseph M. McCulloch, Jr., Esq.
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June 21, 2017

RECEIVED

South Carolina Court of Appeals
Attn: Jenny Abbott Kitchings, Clerk of Court
P.O. Box 11629
Columbia, South Carolina 29211

JUN 26 2017
SC Court of Appeals

RE: Langley v. Lynch
Case No.: 2013-CP-21-01408
Appellate Case. No.: 2015-001941

Dear Ms. Kitchings:

Please find enclosed for filing an original and six (6) copies of Respondent's Return to Motion to Recall Remittitur and Motion to be Relieved as Counsel in the above captioned matter with an original certificate of service. If you would please clock and return a copy to my office in the enclosed self-addressed, pre-stamped envelope, I would be most appreciative. Thank you for your attention to this matter.

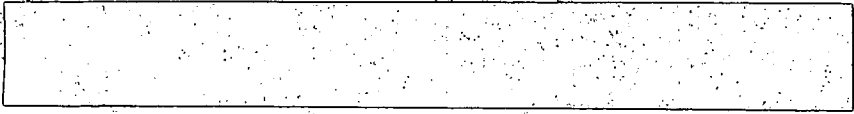
Sincerely,



Joseph M. McCulloch, Esq.

JMM/erg
Enclosure(s)

cc: Jim Irvin, Esq.
J. Rene Josey, Esq.
Wendy Lynch



McCULLOCH & SCHILLACI
ATTORNEYS AT LAW
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COLUMBIA, SC 29201

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